



Instructions for Completing Forms I, II, III and IV for the Transfer of Establishments

Use these instructions to complete Forms I through IV (DEP-PTP-APP-201-204). These instructions are not a substitute for the requirements of the relevant statutes and any regulations thereunder. You should review all applicable laws prior to completing these forms. Remember, it is your responsibility to comply with all applicable laws.

General Information

Sections 22a-134 to 22a-134e of the Connecticut General Statutes (CGS), as amended by Public Act 01-204, require an assessment of any discharge, spillage, uncontrolled loss, seepage, or filtration (hereafter referred to as a release) of hazardous waste or hazardous substances at an Establishment prior to the transfer of the Establishment. ***For the purposes of these instructions, Establishment shall mean real estate or business operation as applicable (CGS Section 22a-134(3)).***

Enclosed in this packet for the transfer of an Establishment, you should find; Forms I, II, III, IV (DEP-PTP-APP-201-204B) pertaining to the transfer of a business; Forms I, II, III, IV (DEP-PTP-APP-201-204R) pertaining to the transfer of real estate, and the Environmental Condition Assessment Form (ECAF) (DEP-PTP-APP-200). Also included in this packet are the instructions for completing the forms, a fee payment form and fact sheets. These forms are prescribed and provided by the Commissioner of the Department of Environmental Protection (DEP). The filing must be on an original or photocopied form prescribed by the Commissioner or on a form from DEP's website <http://www.ct.gov/dep> under the Bureau of Water Protection and Land Reuse.

Please refer to these instructions and, if necessary, the Connecticut General Statutes before completing these forms.

All forms with attached supporting documents and appropriate fee payments must be mailed or hand-delivered to the Central Permit Processing Unit, 1st Floor.

CENTRAL PERMIT PROCESSING UNIT, 1st FLOOR
DEPARTMENT OF ENVIRONMENTAL PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127

All ***subsequent*** correspondence or ***subsequent*** reports should be mailed directly to the Property Transfer Program at the address listed below:

REMEDIATION DIVISION, 2nd FLOOR
BUREAU OF WATER PROTECTION AND LAND REUSE
DEPARTMENT OF ENVIRONMENTAL PROTECTION
79 ELM STREET
HARTFORD, CT 06106-5127
(860) 424-3705

If you have any questions regarding these forms or the fee payment schedule, call Kim Maiorano at (860) 424-3788.

Form Instructions

General Notes: Do not delete any portion of the forms. Forms may not be altered. Please type or print. Submit two copies of either Form I with ECAF, Form II, Form III with ECAF, or Form IV with ECAF, and appropriate fee payment, for ***each*** transfer and for ***each*** Establishment being transferred. Complete all sections on the applicable form. If a particular item is not applicable, enter "N/A." If the answer is "none," enter "none." Do not leave items blank. All forms must be notarized in all places provided.

If you need to supply additional information (e.g., there is more than one property owner) you may photocopy the appropriate section, fill it out completely as many times as needed, and attach it to the main form.

Refer to CGS Sections 22a-134 to 22a-134e, inclusive (as amended by PA 01-204, effective October 1, 2001) for definitions of the terms used in these forms.

The TRANSFEROR is the entity transferring the Establishment.

The TRANSFEREE is the entity to whom the Establishment is being transferred.

Forms I - IV

Section A: General Establishment Information

Section A is to be completed on Forms I - IV using the following instructions. This section requests information necessary to identify the Establishment and its owner and operator. This pertains to the Establishment that generated hazardous waste and meets/met the definition of Establishment.

1. *EPA (RCRA) ID No.*- If applicable, enter the twelve-digit federal EPA Identification Number assigned to the facility under the Resource Conservation and Recovery Act (RCRA) of 1980, as amended from time to time. (Generators, Small Quantity Generators, Transporters, and Treatment, Storage and Disposal Facilities are required to notify and obtain an EPA ID number.)
2. *Type of Transfer* - When listing the type of transfer, be specific, i.e., transfer of business, real property, assets, etc.

When completing items 3-5, please use the following standards:

- *Name* - Provide the full, legal *company/firm* name. (If identifying a *corporation* or *limited*

partnership registered with the Secretary of the State, fill in the name exactly as it is shown on the registration.) If identifying an *individual*, provide the full legal name (include title and suffix) in the following format: Title (Ms., Dr., etc.); First Name; Middle Initial; Last Name; Suffix (Jr., PE, Ph.D., etc.).

- *Mailing Address* - Provide the full and exact mailing address.
 - *Phone* - Unless otherwise indicated, the phone number provided should be the number where the individual can be contacted during daytime business hours.
 - *Contact Person* - Provide the name of the specific individual within the company whom DEP may contact.
 - *Date of Transfer* - Fill in the date of the transfer.
 - *From Transferor* - Complete the name of the entity selling the E
 - *To Transferee* - Complete the name of the entity purchasing the Establishment.
3. *Identification of Establishment* - Please list the ***business*** which generates/generated hazardous waste on-site, which meets/met the definition of Establishment. This applies even if it is no longer in business.
 4. *Transferor* - Please list the complete name and legal mailing address for the party selling the Establishment. Provide a contact name and phone number at which they can be reached during the day.
 5. *Property Owner* - Please list the property owner as recorded in the town or city land records. If the property owner is the same as the owner or operator of the Establishment state this fact.

6. *Map* - Attach map of property location. This map must show the exact location of the property.

Signatories to Forms I- IV

When signing Forms I-IV, please use the following instructions:

For a corporation: These forms must be signed by a responsible corporate officer. For the purposes of these forms, a responsible corporate officer means a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation.

For a partnership or sole proprietorship: These forms must be signed by a general partner or the proprietor, respectively.

For an LLC: These forms must be signed by a member of such LLC.

For an individual: These forms must be signed by the individual owner/operator buyer or seller as applicable to the transfer.

Provide name, title and signature for the party signing the certification or information page.

As applicable, fill in the date on which the form was provided to the transferee along with the title, signature and entity who is the transferee.

Form I - Transfer of Establishment

For business transfers not involving real estate, use form no. DEP-PTP-APP-201B.

For the transfer of real estate use form no. DEP-PTP-APP-201R. This form can also be used when transferring both real estate and business operations simultaneously from "A" to "B."

Section A: General Establishment Information

Follow the standard instructions given on page 2 of these instructions for completion of Section A.

Section B: Transferor Certification

Description in Property Deed - Please list the description of the property exactly as listed in the property deed recorded in the town or city land records.

The transferor must complete, sign and notarize this certification.

Section C: Transferee Information

The transferee must complete, sign and notarize this section as acknowledging receipt of this form.

Section D: Supporting Documentation

Check one that applies. The Form I can only be filed with written documentation attached to Form I demonstrating that no release of hazardous waste or a hazardous substance has occurred at the Establishment OR the commissioner has approved or an LEP has verified that no release of hazardous waste has occurred at the Establishment and any release of a hazardous substance has been remediated in accordance with the remediation standards. ***Without appropriate documentation the Form I will be rejected as inappropriate or deemed incomplete and cause significant delay in the process.***

A completed ECAF, which is applicable to the Establishment, must be submitted simultaneously with Form I, *regardless of whether an ECAF is already on file with the DEP.*

Two copies of Form I and the original and one copy of the ECAF and the associated filing fee must be submitted to DEP no later than 10 days after the transfer.

Form II - Transfer of Establishment

For business transfers not involving real estate, use form no. DEP-PTP-APP-202B.

For real estate transfers use form no. DEP-PTP-APP-202R. This form can also be used when transferring both real estate and business operations simultaneously from "A" to "B."

Section A: General Establishment Information

Follow the standard instructions given on page 2 of these instructions for completion of Section A.

Section B: Establishment Remediation Information

1. ***Release Information:*** (Make additional copies of this sheet as necessary).
 - a. Date of release: Provide the known or estimated date of the release. If the release was of an on-going nature, provide the inclusive dates of the release. Check either "Known" or "Estimated" relative to the date provided.
 - b. Location of release: Describe the area of the property where the release occurred. If available, attach a map or sketch showing the location.
 - c. Waste released: Identify the waste(s) released and indicate the corresponding EPA Waste Code(s) per 40 CFR Part 261, subparts C and D.
 - d. Total quantity: Provide the quantity of waste released and the unit of measurement (e.g., 1,000 gallons), and check whether this is a "Known" or "Estimated" amount.
 - e. Was the release remediated? Check either yes or no.
 - f. Date remediation was completed: If "yes" was checked under Item 1e, provide the date

the remediation was completed.

- g. Description of response taken: Describe the actions taken to remediate or otherwise mitigate the known release(s). Attach additional pages if necessary. If the release did not warrant mitigation, explain the reason why.
- h. Involvement of Oil & Chemical Spills Unit - check yes, no or unknown.

Section C: Documentation of Remediation

Check one of the boxes and attach appropriate documentation of the remediation of the establishment. ***Without appropriate documentation the Form II will be rejected as inappropriate or deemed incomplete and cause significant delay in the process.***

Section D: Transferor Certification

Description in Property Deed - Please list the description of the property exactly as listed in the property deed recorded in the town or city land records.

The transferor must complete, sign and notarize this certification.

Section E: Transferee Information

The transferee must complete, sign and notarize this section as acknowledging receipt of this form.

Two copies of Form II and the associated filing fee must be submitted to DEP no later than 10 days after the transfer.

Form III- Transfer of Establishment

For business transfers not involving real estate use form no. DEP-PTP-APP-203B.

For real estate transfers use form no. DEP-PTP-APP-203R. This form can also be used when transferring both real estate and business operations simultaneously from "A" to "B."

Section A: General Establishment Information

Follow the standard instructions given on page 2 of these instructions for completion of Section A.

Section B: Certification

Description in Property Deed - Please list the description of the property exactly as listed in the property deed recorded in the town or city land records.

This certification must be signed by the party accepting the responsibility for the investigation of the parcel and remediation of the Establishment. This certification must be executed by a party associated with the transfer, as defined in CGS Section 22a-134, and must be notarized (or, in lieu of a notary, signed by a commissioner of the superior court where allowed by law). The certifying party will agree to remediate the Establishment and pay the filing fee associated with Form III.

Section C:

Give a brief explanation why a Form III is being submitted.

Section D: Transferee Information

This section ***must*** be signed by the transferee, regardless of whether they are the certifying party or have executed any other portion of the form.

Section E: Transferor Information

This section ***must*** be signed by the transferor, regardless of whether they are the certifying party or have executed any other portion of the form.

A completed ECAF that is applicable to the Establishment must be submitted simultaneously with Form III, *regardless of whether an ECAF is already on file with the DEP.*

Two copies of Form III and the original and one copy of the ECAF and the associated filing fee must be submitted to DEP no later than 10 days after the transfer.

Form IV- Transfer of Establishment

For business transfers not involving real estate use form no. DEP-PTP-APP-204B.

For real estate transfers use form no. DEP-PTP-APP-204R. This form can also be used when transferring both real estate and business operations simultaneously from "A" to "B."

Section A: General Establishment Information

Follow the standard instructions given on page 2 of these instructions for completion of Section A.

Section B: Documentation of Remediation

Check either box and attach appropriate documentation. ***Without appropriate documentation the Form IV will be rejected as inappropriate or deemed incomplete and cause significant delay in the process.***

Section C: Postremediation Monitoring or Natural Attenuation Monitoring Certification

Description in Property Deed - Please list the description of the property exactly as listed in the property deed recorded in the town or city land records.

The post-remediation or natural attenuation monitoring certification must be signed by the party associated with the transfer that is accepting the responsibility to perform post-remediation or natural attenuation monitoring related to any pollution caused by any release at the Establishment. This certification must be executed by a party associated with the transfer, as defined in CGS Section 22a-134(7), and must be notarized (or, in lieu of a notary, signed by a commissioner of the superior court where allowed by law).

Section D: Remediation Certification

The remediation certification must be signed by the party associated with the transfer who is agreeing to investigate the Establishment in accordance with prevailing standards and guidelines and to remediate

the Establishment in accordance with the remediation standards if further investigation and/or remediation is necessary. This certification must be executed by a party associated with the transfer, as defined in CGS Section 22a-134(7), and must be notarized (or, in lieu of a notary, signed by a commissioner of the superior court where allowed by law).

Section E: Transferee Information

This section ***must*** be signed by the transferee, regardless of whether they are the certifying party or have executed any other portion of the form.

Section F: Transferor Information

This section ***must*** be signed by the transferor, regardless of whether they are the certifying party or have executed any other portion of the form.

A completed ECAF that is applicable to the Establishment must be submitted simultaneously with Form IV, ***regardless of whether an ECAF is already on file with the DEP.***

Two copies of Form IV and the original and one copy of the ECAF and the associated filing fee must be submitted to DEP no later than 10 days after the transfer.